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MICHAEL CHAN

NCR CORPORATION

1700 SOUTH PATTERSON BLVD

DAYTON, OH 45479-0001

EXAMINER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL G. COUTTS and LEE G. DOVE

Appeal 2009-006095
Application 09/884,523
Technology Center 2400

Before, ROBERT E. NAPPI, JOHN C. MARTIN, and
ELENI MANTIS MERCADER, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

This is a decision on appeal under 35 U.S.C. § 134(a) of the non-final rejection of claims 20-40.² We have jurisdiction under 35 U.S.C. § 6(b).

We reverse the Examiner's rejection of these claims.

INVENTION

The invention is directed to a transaction processing system wherein peripheral devices can communicate with each other as well as with a central server. *See* Spec: 1-6. Claim 20 is representative of the invention and reproduced below:

20. A self-service terminal comprising a plurality of peripheral devices connected to a central processor and controlled by that central processor, each of the peripheral devices having an independent associated control application for controlling the peripheral device, the independent associated control applications being operable to communicate directly with each other independent of the central processor; whereby, in use, each peripheral device operates in response to signals generated by the central processor as well as all other peripheral devices whose operation depends on or is connected with the state of that peripheral device.

REFERENCE

Ward	US 4,636,947	Jan. 13, 1987
Vachon	US 5,274,947	Dec. 28, 1993
Kraslavsky	US 5,537,626	Jul. 16, 1996

² Claims 1-19 and 41-54 were cancelled in an Amendment under 37 C.F.R. §1.111, filed January 19, 2005.

REJECTIONS AT ISSUE

Claim 20 is rejected under 35 U.S.C. § 102(b) as being anticipated by Vachon. Ans. 4.

Claims 20, 21, 23, 34, and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ward in view of Vachon. Ans. 5-7.

Claims 22, 24-33, 35, and 37-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ward in view of Vachon and Kraslavsky. Ans. 7-11.

ISSUE

Rejections over Vachon

Appellants argue on pages 4-8 of the Appeal Brief and pages 1-4 of the Reply Brief that the Examiner's rejection of claims 20-40 is in error. Appellants argue that Vachon does not disclose peripheral devices that contain their own independent control applications to allow communication with each other independent of a central processor, as claimed in independent claims 20, 37, and 40. App. Br. 6-7. Dependent claims 21-36 and 38-39 are dependent upon claims 20 and 37 (respectively).

Thus, with respect to claims 20-40, Appellants' contention presents us with the issue: Did the Examiner err in finding that Vachon discloses a plurality of peripheral devices each having an independent associated control application for controlling the peripheral device, with the independent associated control applications being operable to communicate directly with each other independent of the central processor?

FINDINGS OF FACT (FF)

1. Vachon discloses a system wherein peripheral devices contain direct memory access (DMA) interfaces which allow the peripherals to download or upload data from the processor without processor intervention. Col. 1, ll. 38-47.
2. Vachon also discloses a system that contains an interfacing device that transfers data between devices located on the peripheral bus. Col. 2, ll. 37-41.

ANALYSIS

35 U.S.C. § 102(b) Rejection

Appellants' arguments have persuaded us of error in the Examiner's rejection of claims 20. Claim 20 requires that each of the peripheral devices is able to independently and directly communicate with all of the other peripheral devices independent of a central processor. Appellants argue that Vachon does not disclose that the peripheral devices communicate with each other independent of the central processor. App. Br. 5-7; Reply Br. 4. We agree.

The Examiner finds that Vachon discloses transferring data from the peripheral devices without processor intervention. Ans. 12. Additionally, the Examiner finds that data can be transferred between devices located on the peripheral bus by the interfacing device. Ans. 12. Thus, the Examiner finds that Vachon discloses that the peripheral devices can communicate with each other without processor intervention. Ans. 12. We disagree.

While the peripheral devices are able to transfer data without processor intervention, there is nothing in the reference that discloses that

the data can be transmitted between peripheral devices without processor intervention. Vachon merely discloses that the peripherals can take data out of or place data into the main processor without processor intervention. FF 1. Additionally, data can be transferred between the devices that are located on the peripheral bus. FF 2. However, processor intervention is required in order to accomplish this task. FF 2. Therefore, Vachon does not disclose the ability of peripheral devices to communicate with one another without processor intervention. Thus, we find that Vachon does not anticipate claim 20 as it does not teach all of the limitations of claim 20. Accordingly, we will not sustain the Examiner's rejection of claim 20 under 35 U.S.C. § 102(b).

35 U.S.C. § 103(a) Rejections

The Examiner's rejections under 35 U.S.C. § 103(a) rely upon the finding that Vachon discloses transferring data between the peripheral devices without processor intervention. Answer 6. Independent claims 37 and 40 recite limitations directed to the peripheral devices having independent associated control applications operable to directly communicate with each other independent of the central processor. As discussed above with respect to claim 20, we do not find that Vachon teaches this feature. Further, the Examiner has not found, nor do we find, that the additional teachings of Ward or Kraslavsky teach this feature. Thus, we will not sustain the Examiner's rejections, under 35 U.S.C. § 103(a) of independent claims 20, 37 and 40 or dependent claims 21-36 and 38-39.

CONCLUSION

The Examiner erred in finding that Vachon discloses a plurality of peripheral devices each having an independent associated control application for controlling the peripheral device, with the independent associated control applications being operable to communicate directly with each other independent of the central processor.

SUMMARY

The Examiner's decision to reject claims 20-40 is reversed.

Appeal 2009-006095
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REVERSED

ELD

MICHAEL CHAN
NCR CORPORATION
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